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SEP 19 2002

OFFICE OF PETITIONS

In re Application of
Crossland, et al.
Application No. 10/085,140
Filed: March 1, 2002
Title: ACTIVE SEMICONDUCTOR BACPLANES

LETTER

Dear Mr. Yu:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 USC 116 and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, agent of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Cliff Congo at (703) 305-0272. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

Beverly M. Flanagan
Supervisory Petitions Examiner
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Paper No. 6

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OFFICE OF PETITIONS

In re Application of Crossland, et al.	:	
Application No. 10/085,140	:	DECISION ACCORDING STATUS
Filed: March 1, 2002	:	UNDER 37 CFR 1.47(a)
Attorney Docket No. 124-931	:	

This is in response to the petition under 37 CFR 1.47(a), filed July 31, 2002.

The petition under 37 CFR 1.47(a) is GRANTED.

The above-identified application was filed on March 1, 2002. On March 21, 2002, applicant was mailed a "Notice to File Missing Parts of Nonprovisional Application - Filing Date Granted," requiring, *inter alia*, an executed oath or declaration (and a surcharge for its late filing). This Notice set a two-month period for reply.

In reply, applicant filed the instant petition, and paid the surcharge for late filing of the declaration. To make timely this reply, applicant obtained a three month extension of time.

A grantable petition under 37 CFR 1.47(a) requires: (1) proof that the non-signing inventor cannot be reached after diligent effort or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims, drawings, oath or declaration); (2) an acceptable oath or declaration in compliance with 37 CFR 1.63; (3) the petition fee; and (4) a statement of the last known address of the non-signing inventor.

Accompanying the petition were, *inter alia*, (1) a declaration executed by inventor William A. Crossland, but with the signature block for inventor Tat Yu left blank; (2) a declaration in support of petition from attorney Philip Davies; and (3) a copy of a letter from Davies to Yu, transmitting the application papers to Yu's last known address. Furthermore, the petition states that to date no executed declaration from Yu has been received.

The declaration filed July 31, 2002 and the petition have been reviewed and found to be in compliance with 37 CFR 1.47(a). This

application is hereby accorded Rule 1.47(a) status.

As provided in 37 CFR 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

The application file is being returned to the Office of Initial Patent Examination for continuation of pre-examination processing.

Telephone inquiries regarding this decision should be directed to Petitions Attorney Cliff Congo at (703) 305-0272.

E Shuene Wills f/s

Beverly M. Flanagan
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